

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CONTRACT FOR CONSTRUCTION OF EXTENSION)
OF LINES FOR NORTHEAST WOODFORD WATER)
DISTRICT TO HOMESTEAD SUBDIVISION)
PURSUANT TO AGREEMENT WITH BOBBY GAFFNEY,) CASE NO. 91-293
TIMOTHY THOMPSON, AND MICHAEL LAWSON,)
D/B/A HOMESTEAD DEVELOPMENT COMPANY,)
A PARTNERSHIP)

O R D E R

IT IS ORDERED that Northeast Woodford County Water District ("Water District") shall file an original and 12 copies of the following information with this Commission, with a copy to all parties of record within 20 days from the date of this Order. If the information cannot be provided by this date, the Water District should submit a motion for an extension of time stating the reason a delay is necessary and include a date by which it will be furnished. Such motion will be considered by the Commission.

1. The contract for a water line extension between the Water District and the Homestead Subdivision ("Homestead") contains the following language:

INSTALLATION OF FACILITIES: Homestead shall install and construct all water mains, hydrants, and all other required facilities in said Homestead Subdivision Unit 2 necessary to extend the existing water main of the District, at no cost or expense to the District.

(a) The Water District seeks approval of the contract under the "different arrangements" provision of 807 KAR 5:066,

Section 12(4). Do the "different arrangements" agreed upon in the contract include a waiver by Homestead of the reimbursement due it under 807 KAR 5:066, Section 12(3)?

(b) If yes, the Water District shall supplement its petition with this information in the form of an amendment to the contract whereby Homestead expressly waives its right pursuant to 807 KAR 5:066, Section 12(3).

(c) If no, the District shall supplement its petition with information in the form of an amendment to the contract clarifying that Homestead has not waived its right of reimbursement pursuant to 807 KAR 5:066, Section 12(3).

Done at Frankfort, Kentucky, this 11th day of November, 1991.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director